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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 CLARENCE J. BUNTING,

11 Plaintiff,

12 v.

13 ARCHDIOCESE OF SEATTLE, et al.,

14 Defendants.

CASE NO. C09-1537JLR

ORDER GRANTING MOTION
TO DISMISS ARCHDIOCESE OF
SEATTLE

15 This matter comes before the court on three pending motions: Defendant
16 Archdiocese of Seattle's ("Archdiocese") motion to dismiss it (Dkt. # 41); Plaintiff
17 Clarence J. Bunting's motion to keep Archdiocese as defendant (Dkt. # 43); and Mr.
18 Bunting's motion for extension of time (Dkt. # 47). Having reviewed the papers filed in
19 support and opposition to the motion, and finding this matter appropriate for disposition
20 without oral argument, the court GRANTS the Archdiocese's motion to dismiss (Dkt. #
21 41); DENIES Mr. Bunting's motion to keep the Archdiocese as a defendant (Dkt. # 43);
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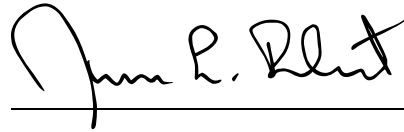
1 and GRANTS in part and DENIES in part Mr. Bunting's motion for extension of time
2 (Dkt. # 47).

3 With respect to the cross motions relating to Mr. Bunting's claims against the
4 Archdiocese, the court notes that there are none. In Mr. Bunting's first complaint filed on
5 October 28, 2009, he names the Archdiocese as a defendant in the caption but fails to
6 address their role in his allegations in his complaint. (*See* Compl. (Dkt. # 1).) In his
7 amended complaint, Mr. Bunting does not name the Archdiocese as a defendant and,
8 again, makes no allegations against it. (*See* Am. Compl. (Dkt. # 36).) Yet, Mr. Bunting
9 opposes the motion to dismiss the Archdiocese from this lawsuit on the basis that
10 Defendant Catholic Community Services of Western Washington ("CCS") refers to the
11 leadership of the Archdiocese in CCS's mission statement. (Resp. (Dkt. # 46) at 1.) The
12 mention of the Archdiocese in its mission statement does not give rise to a claim by Mr.
13 Bunting against the Archdiocese. Accordingly, the court dismisses the Archdioceses
14 from this action.

15 Mr. Bunting also request an extension of time for filing discovery motions from
16 the current deadline of May 23, 2011 until June 23, 2011. (Mot. (Dkt. # 47).) Such an
17 extension, however, would put the discovery motions deadline *after* the discovery cut-off
18 on June 20, 2011. Although the court sets its discovery motions deadline well in advance
19 of the close of discovery, in order to afford the parties sufficient time to resolve their
20 discovery disputes before the close of discovery, due to Mr. Bunting's health issues, the
21 court departs from its normal scheduling order to permit Mr. Bunting additional time to
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1 file his discovery motions. The court will grant Mr. Bunting until June 17, 2011 to file
2 his discovery motions.

3 Dated this 10th day of June, 2011.

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6 JAMES L. ROBART
7 United States District Judge
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